

# Title I Part A

## Improving Basic Programs Operated by Local Educational Agencies (LEAs)

LEA Title I Directors  
September 27, 2023

Student Support Services  
ESEA Federal Programs and Related State Initiatives  
Utah State Board of Education

# WELCOME

**Max Lang**

ESEA and Related State Initiatives

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(801) 538-7725

# Agenda

8:30 **Welcome and Introductions / Setting the Direction**  
Max Lang, ESEA Programs and Related State Initiatives

**FY 24 Title I Allocations / Flexibility Waiver**  
Max Lang, ESEA Programs and Related State Initiatives  
Merilee Wendell, USBE Fiscal Compliance Manager

**Community Eligibility Provision (CEP)**  
Max Lang, ESEA Programs and Related State Initiatives

**Desktop Monitoring Instrument (DMI) for 2023-24 / Evidence-Based Practices**  
Val Murdock, Title I Monitoring and Support

**Community Engagement and Science of Reading Coordination Services**  
Susie Estrada, Family and Community Engagement Specialist

10:30 **Comfort Break**

10:40 **ESEANOW®**  
Ryan Benetz, Training Team Lead LRP Publications

**USBE Center for Continuous School Improvement**  
Dr. James Martin, School Improvement Specialist

**ESSER Funds Update / Reporting**  
Jessica Kjar, CARES Specialist

**Wrap-Up**  
Max Lang

**Office Hour** - LEA-specific questions, etc.

1:00 **Desktop Monitoring Instrument (DMI) Office Hour.**  
This is not a training, rather an opportunity to ask specific questions about your LEA's DMI.

# Context

## Every Student Succeeds Act (Public Law 114–95)

TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE ***DISADVANTAGED***

SEC. 1001. [20 U.S.C. 6301] STATEMENT OF PURPOSE.

The purpose of this title is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

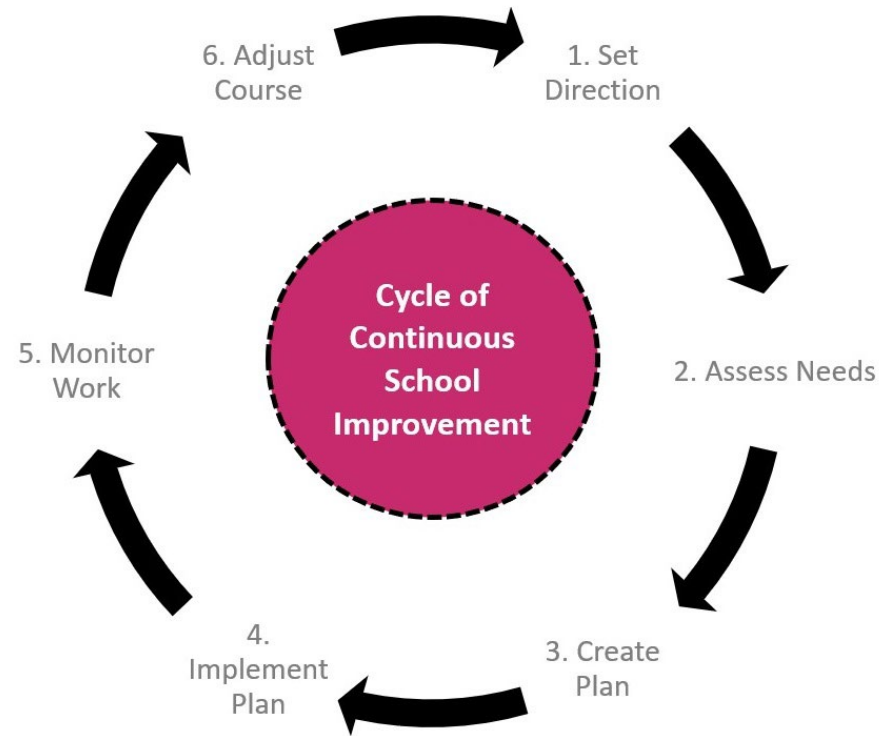
\$18 billion dollars

# Goals of Title I Part A

Utah was awarded \$79 million (SFY24) in Title I Part A funds to assist higher-poverty schools in Utah provide supplemental educational services to meet the needs of economically and educationally disadvantaged students by:

- Helping students achieve growth and proficiency on rigorous State academic standards in Reading/Language Arts, Mathematics, and Science
- Closing achievement gaps
- Building teacher capacity through high-quality, on-going, job-embedded professional learning opportunities
- Engaging parents in helping their children succeed through meaningful, high-quality, evidence-based parent, family, and community engagement activities
- Providing a well-rounded education for all students

# Title I – Improving the Academic Achievement of the Disadvantaged



Fund your plan, don't plan for funds

# FY 24 Title I Allocations

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(801) 538-7725
- Merilee Wendell, USBE fiscal Compliance Manager  
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# 2023/2024 Utah Title I, Part A Preliminary Allocations

Utah Title I	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024
Title I-A	\$81,618,825	\$81,915,076	\$86,948,791	74,461,276	<b>78,722,863</b>

← 2022/2023 - \$74 million = **\$13 million decrease**

→ 2023/2024 - \$78.7 million = **\$4.2 million increase**



# Title I Allocation Calculations: “Formula Children”

- Annually-updated poverty estimates by the Census Bureau (students aged 5-17 at or below poverty level = \$27,750 or 100%).
  - 97% of the economically disadvantaged student count
- State-reported counts of children in local institutions for neglected or delinquent children, publicly-supported foster homes, and families receiving Temporary Assistance for Needy Families (TANF) assistance that exceeds the poverty level.
  - 3% of the count

# Title I, Part A – Formula Grants

## Basis of eligibility under each statutory funding formula

- Basic
  - At least 10 formula children and that number exceeds 2 percent of the Census Bureau's estimate of the LEA's ages 5 to 17 population.
- Targeted
  - At least 10 formula children and that number equals or exceeds 5 percent of the Census Bureau's estimate of the LEA's ages 5 to 17 population.
- Concentration
  - The LEA meets the Basic Grants eligibility criteria, and its number of formula children exceeds 6,500 or 15 percent of the Census Bureau's estimate of the LEA's ages 5 to 17 population.
- Education Finance Incentive Grants (EFIG)
  - Qualifies for The Basic Grant and is based on factors that measure: a State's effort to provide financial support for education compared to its relative wealth as measured by its per capita income; and the degree to which education expenditures among LEAs within the State are equalized.

# SEA Adjustments to ED Calculations

## Reasons for SEA Adjustments

- The ESEA:
  - Requires an SEA to adjust the allocations of district LEAs calculated by ED to account for charter LEAs (i.e., LEAs for which Census poverty data are not available)
  - Requires the SEA to reserve 7% for School Improvement
  - Authorizes an SEA to reserve up to a certain amount from LEAs for State administration and Direct Student Services

# Title I Allocations to Charter Schools

- Reminder: District LEA allocations are based on annually-updated poverty estimates by the Census Bureau (students aged 5-17 at or below poverty level = \$27,750 or 100%).
- Most Utah Charter LEAs use free and reduced lunch survey counts to report economically disadvantaged student counts on the October 1 count.
  - Free Lunch = 130% of Census poverty threshold
  - Reduced Lunch = 185% of Census poverty threshold
    - Economically disadvantaged counts based on F & R counts will be higher

Food and Nutrition Service, US Department of Agriculture: <https://www.fns.usda.gov/cn/fr-021622>

# “Derived” Economically Disadvantaged Student Counts

- The state’s Title I allocation is based on Census-estimate student counts by district LEAs.
- Charter LEA formula student counts are based on free & reduced lunch counts, not reported to Dept. of ED, so not included in the state’s formula student count.
- To allocate funds more equitably, a derived student count is done specifically for charter LEAs that adjusts their reported October 1 formula student counts to be relative to district LEA and state Census formula student counts.

# Huh?

## Example

- Total Utah October 1 count = 199,542 Census count = 52,922
- Utah district LEA:
  - All student count: 85,306
  - October 1 count: 17,280 = 20% economically disadvantaged
  - Census count: 5,276 = 6% economically disadvantaged
- Charter LEA:
  - All student count: 1,023
  - October 1 count: 669 = 65% economically disadvantaged
  - Derived count: 177.4 = 17.34% economically disadvantaged

# Huh Again?

- Charter LEA:
  - All student count: 1,023
  - October count: 669
- Derived count:
  - October 1 count divided by the sum of the whole state's October 1 count:  $669 \div 199,542 = .00335268\%$
  - Multiplied by the state's Census count:  $.00335268 \times 52,922 = 177.4$  (derived)
  - Derived student count divided by LEA's total student count:  $177.4 \div 1,023 = 17.34\%$  economically disadvantaged percentage
    - Qualify for Basic Grant, Targeted, Concentration, and EFIG
- A charter school must have at least 10 derived economically disadvantaged students to qualify for Title I funds.

# ESEA Sec 8401 - Waiver Request of Title I, Part A Sec. 1127(a)

- Max Lang, ESEA and Related State Initiatives  
[max.lang@schools.utah.gov](mailto:max.lang@schools.utah.gov)  
(801) 538-7725



# ESSA SEC. 1127(a)

- Title I, Part A funds - 15% or more may only be requested to carryover once every three years.
- Utah experienced a substantial reduction in Title I, Part A funds in year 22/23, from \$87 million to \$74 million.
- Several LEAs experienced significant reductions in Title I funding, disrupting the implementation of effective strategies.

# ESEA Part D – Waivers SEC 8401

- In February 2023, Utah applied for a one-year waiver of the 15% carryover limitation. In May 2023, the Flexibility Waiver was approved by OESE.
- So, this year (23/24) all Utah LEAs may apply to carryover 15% or more of your Title I funds regardless of the last time you made the request.
- To request the 15% carryover waiver, please complete the [Excess Carryover Waiver Form](#) and email it to [max.lang@schools.utah.gov](mailto:max.lang@schools.utah.gov) and [merilee.wendell@schools.utah.gov](mailto:merilee.wendell@schools.utah.gov)

# Community Eligibility Provision (CEP)

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(801) 538-7725

# What is the CEP?

- The CEP is an option in the National School Lunch Program (NSLP) under the amended Richard B. Russell National School Lunch Act.
- The CEP eliminates the need for household applications for free and reduced-price meals in high-poverty LEAs and schools.
- To be eligible, LEAs and/or schools must meet a minimum level of “identified students” (40%) for free meals in the year prior to implementing the CEP. The CEP lasts up to 4 years.
  - Identified students are a subset of students eligible for free & reduced meals. They are directly certified for free meals through Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Homeless, Migrant, Medicaid, etc.

# CEP/Title I Clarifications

- The CEP is a program operated through Department of Agriculture's (USDA) Food and Nutrition Services and not the Department of Education.
  - The CEP allows an LEA/school to provide free meals to all students without additional paperwork.
  - The CEP allows an LEA/school to be reimbursed by the USDA for those meals.
- Because a school is implementing the CEP and provides free meals to 100% of its students does not mean that it will report 100% of its students as economically disadvantaged for Title I funding purposes.
  - CEP LEAs/schools must report the number of directly certified students for Title I funding purposes, or the free & reduced count from the base year.

# CEP and Title I Funding

## Ranking and Serving with CEP schools and Non-CEP schools

- Must use a common poverty metric
- An LEA has three options for deriving a common poverty metric:
  - (1) Apply the 1.6 multiplier to the number of students identified by direct certification in a CEP school and use the free and reduced-price meal data for non-CEP schools;
  - (2) Use the number of students directly certified in both CEP and non-CEP schools; or
  - (3) Apply the 1.6 multiplier to the number of students directly certified in both CEP and non-CEP schools.

# Reporting Economic Disadvantaged in UTREx

- Note: Community Eligibility Provision (CEP) or Provision 2 schools cannot submit as a default 100% of their students as “Y”.
- The actual status for students enrolled needs to be submitted either as a “F”, “R”, or “Y” according to the status of each student with respects to their “economic disadvantage” status.
  - F - Eligible for Free Lunch
  - R - Eligible for Reduced Price Lunch
  - Y - Economically Disadvantaged (direct certification)
  - Blank NOT Economically Disadvantaged
- Base year CEP/Provision 2 counts may be used for the four-year cycle of implementation for Title I funding purposes.

# CEP Resources

Utah Child Nutrition Programs

[utahcnp@gmail.com](mailto:utahcnp@gmail.com) – (801) 538-7680

US Department of Agriculture

[USDA Fact Sheet](#)

Office of Elementary and Secondary Education

[Within-District Allocations Guidance](#)



# Desktop Monitoring Instrument (DMI) for 2023-24 / Evidence-Based Practices

- Val Murdock, Title I Monitoring and Support  
[val.murdock@schools.utah.gov](mailto:val.murdock@schools.utah.gov)  
(801) 538-7975

LEA Report Card Availability

UPDATE: Desktop  
Monitoring  
Instrument (DMI)



# New Timeline for Release of Report Card Data

- Release of data **to LEAs**  
**Mid-October**
- Release of data **to public**  
**end of October**
- Watch **four examples** of  
uploading URL from LEA  
website to DMI: [00:20:12](#)





**Office Hours: Today 1:00-2:00 PM**

Still have  
Questions on  
the DMI?



# New Resources



hOT OFf  
tHE  
pREss

# New EBP Resources

## Evidence-Based Practices

- [Linked in PCBL Framework](#)
- [Separate EBP Folder](#)
- [Complete list of PCBL resources](#)



# Family and Community Engagement

- Susie Estrada, Family and Community Engagement Specialist  
[susie.estrada@schools.utah.gov](mailto:susie.estrada@schools.utah.gov)  
(385) 295-7891



Utah State Board of Education

# SB 127 Community Engagement and Science of Reading Coordination Services







# Who Participates?

Meeting the state’s goal of having at least 70% of 3<sup>rd</sup> grade students reading on grade level by 2027 will require all stakeholders—including families, community members, teachers, and school leaders—to take an active role in providing systematic, explicit foundational literacy instruction for students.

By design, this project will equip **school-based community coordinators** with the knowledge, skills, and resources to effectively engage **families and school communities** in literacy development efforts.

This person may be an administrator, a coach, a social worker, or a teacher. The person will be responsible for championing a whole school effort to engage families and community members in literacy development.

By intentionally focusing on training school-based community coordinators and providing resources that can be used by **coordinators and families**, we increase the project’s reach and establish knowledge and practices that will continue long after the project ends.

# Inaugural Cohort Begins in January 2024

## Program Highlights



Create and implement a **data-driven roadmap specific** to your school to engage families and communities effectively in literacy development. Consult with community engagement and Science of Reading experts on your school's roadmap throughout the cohort.



Expand your skill set via **three professional learning** sessions designed to equip school-based community coordinators with the knowledge, skills, and resources to effectively engage families and school communities in literacy development efforts.



Engage in **six Communities of Practice**, small groups that bring participants together to share common goals and strategies, with other leaders across the state.



Learn how to implement **regional literacy events** that empower your school community.



Elevate your school's literacy and engagement with a multitude of collaborative **resources and toolkits**.

# Two Year Cycle of Engagement



Year One

## Information Gathering and Planning

### Coordinators:

- Attend one orientation
- Conduct an assets and needs assessment
- Design a roadmap

## Learning, Implementation, & Sustainability

### Coordinators:

- Attend two professional learning sessions
- Engage in two communities of practice

### Coordinators + Community-School Team:

- Participate in one to two collaborative planning sessions
- Gain resources from at least one regional literacy event



Year Two

## Learning, Implementation, & Sustainability

### Coordinators:

- Attend one professional learning session
- Attend four communities of practice

### Coordinators + Community-School Team:

- Implement the school's roadmap
- Participate in four to five collaborative planning sessions
- Gain resources from two to three regional literacy events



# Find Out More!

Informational Session October 12<sup>th</sup>  
4-5pm



[Informational Session Sign Up](#)

Questions?  
Susie Estrada [Susie.Estrada@schools.Utah.gov](mailto:Susie.Estrada@schools.Utah.gov)

# BREAK

10 MINUTES

# ESEANOW®

- Ryan Benetz, Training Team Lead LRP Publications

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# USBE Center for Continuous School Improvement

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# ESSA and TSI/ATSI

Title I Directors Meeting  
September 27, 2023  
James Martin  
Center for Continuous School Improvement



# Center for Continuous School Improvement



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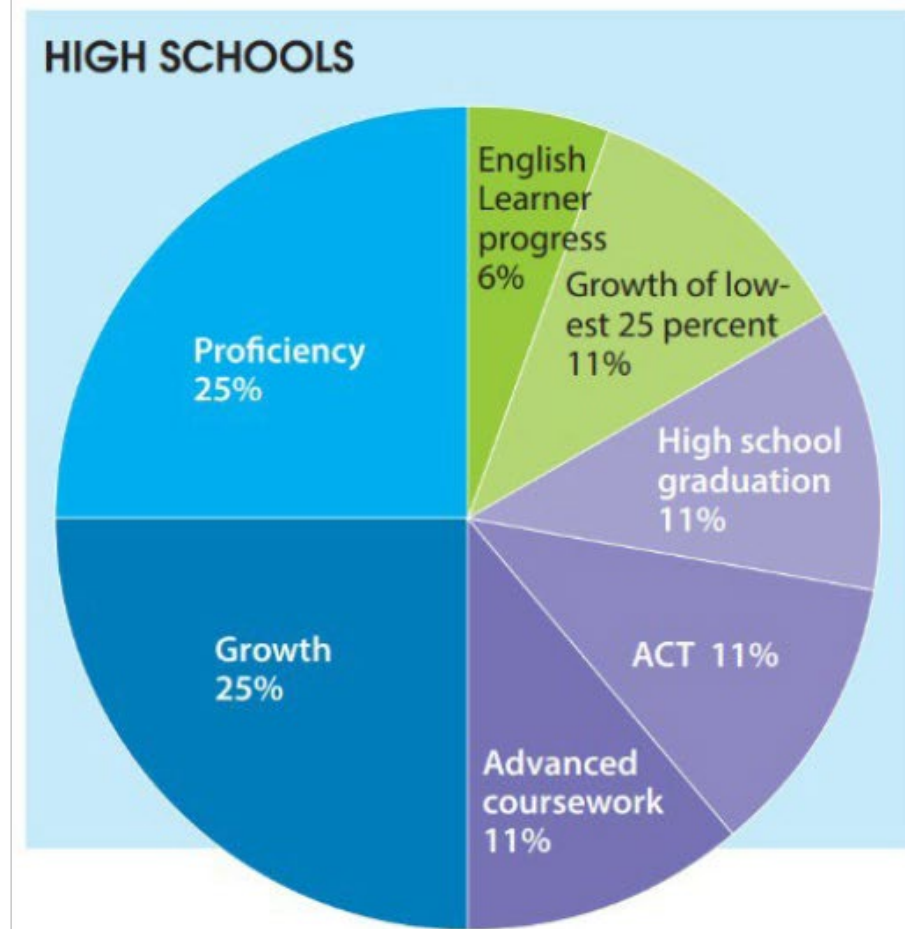
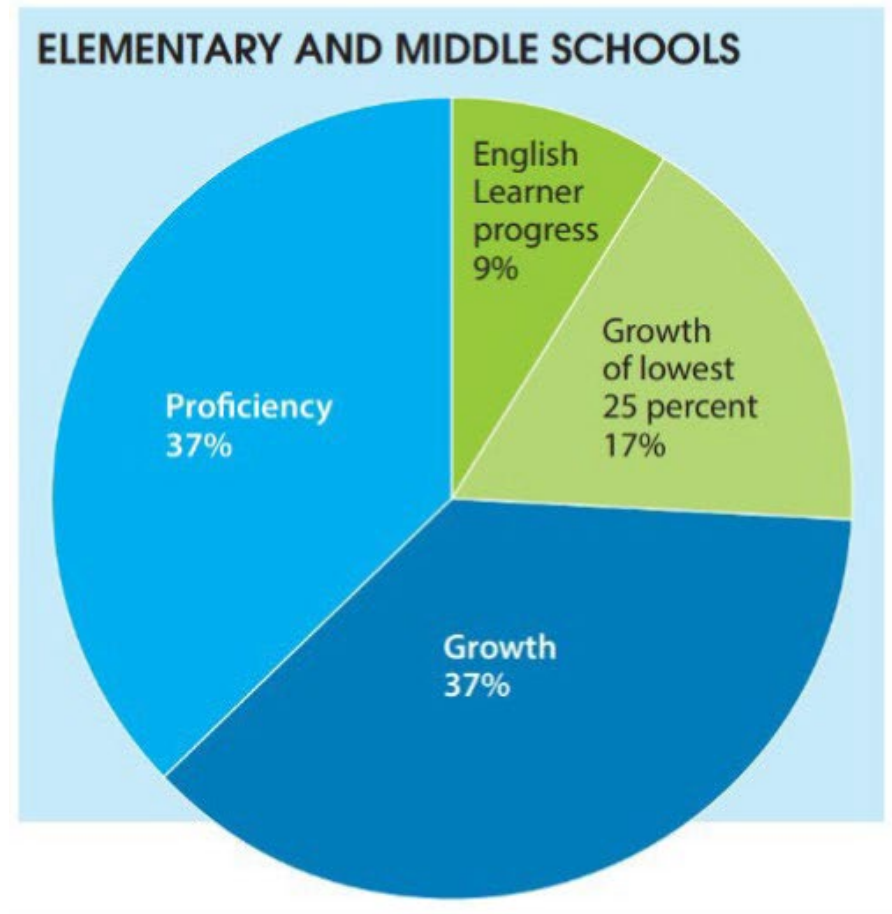
# Some background

- ESSA stands for the Every Student Succeeds Act
- It is an extension of the Elementary and Secondary Education Act of 1965
- Reauthorization was in 2016 under President Obama's administration
- ESSA is meant to return more control to the states and LEAs
- Utah's plan was just amended and approved and [is available here](#)

# Some background

- The most recent [2022 report](#) is contained here
- Student groups with 10 or more students are eligible for school improvement
- Each student group may earn points for the following indicators:
  - Achievement—56 points possible
  - Growth—56 points possible
  - WIDA Growth—13 points possible
  - Growth of the lowest 25%--25 points possible
  - Graduation rate—25 points possible (high schools)
  - ACT scores—25 points possible (high schools)
  - Advanced Coursework—25 points possible (high schools)

Looks like this.



# Some background

- A student group must have 2 or more indicators
- The points are added up and divided by the points possible
- The resulting percent is matched with the percent cut for the lowest 5% of Title I schools
- The eligible student groups include: students who are economically disadvantaged (EDA), students with disabilities (SWD), students who are Els (ELL), American Indian or Alaska Native (AM7), Black or African American (BL7), Native Hawaiian or Other Pacific Islander (PI7), Asian (AS7), Hispanic or Latino (HI7), and Multiracial students (MU7), and Caucasian or White (WH7).

# TSI and ATSI

- In the past, Utah incorrectly labeled designated student groups as TSI, but all current groups are Additional Targeted Support and Improvement (ATSI) according to the Department of Education.
- Utah has not had any TSI schools designated until this year (2023).
- The Department of Education has allowed Utah to delineate between TSI and ATSI beginning this academic year (2023-2024).

# TSI and ATSI

## TSI Identification:

- Will begin in 2023 (probably in late October to early November)
- Identified when a student group has performed below the lowest 5% of Title I schools for two consecutive years
- 2022 and 2023 data will be used to make 2023 TSI designations
- You can see [if a student group is at risk here](#)

# TSI Exit

- TSI Exit: Student groups identified for TSI must demonstrate one year of student group performance above the cut score from the year in which they were identified.
- TSI identification and exit determinations are made annually.



# ATSI Identification

- USBE will not be identifying additional ATSI schools until 2025 to match the CSI cycle

## Identification Criteria for ATSI

- Based on a three-year average of the percentage of points out of the percentage of points possible
- If a student group's three-year average is below the lowest 5% of Title I schools when ranked, that student group and the school will qualify for ATSI
- ATSI schools must have been TSI first

# ATSI Exit

As a result of the new ESSA Plan updates, ATSI schools identified in 2018, 2019, and 2022 have new exit criteria

## Exit Criteria #1:

- If the school is an *elementary, middle school, or junior high*, the student group must reduce the gap in performance by one-third between the school's baseline performance from the year they were identified and 55% of all indicator points possible.
- If the school is a *high school*, the student group must reduce the gap in performance by one-third between the school's baseline performance from the year they were identified and 57% of all indicator points possible.

## Exit Criteria #2:

- The student group performance must exceed the lowest performing five percent of Title I schools from the year the school was identified.

# ATSI Exit

- The ATSI Exit Criteria will be for all ATSI Schools moving forward.
- ATSI schools cannot exit before their third year
- 2019 schools will be eligible to exit beginning in 2024
- 2022 schools will be eligible to exit beginning in 2025
- ALL student groups designated in 2018, 2019, and 2022 are ATSI groups and could qualify for Targeted Comprehensive Support and Improvement (T-CSI) if they are a Title I school and the group does not exit within four years after designation.

# TSI and ATSI

- TSI schools are supported and monitored by the LEA
- ATSI schools are supported and monitored by the LEA with technical support from USBE
- ATSI Title I schools will qualify for Targeted CSI if they are unable to exit within four years
- ATSI Non-Title I schools will qualify for additional interventions if unable to exit within 4 years

# Comprehensive Support and Improvement (CSI) Academic Growth

- In federal language this designation is referred to as “low performing”
- Schools already identified for CSI will not be double identified for TSI or ATSI.
- Comprehensive support and improvement schools are identified once every three years,
- Only Title I schools can be designated as CSI Academic Growth

# Comprehensive Support and Improvement (CSI) Academic Growth

## CSI Academic Growth Identification

A school will be designated as CSI Academic Growth if:

- It is a designation year (the next designation year is 2025)
- The school is Title I
- The school's overall performance based on a three-year average of the percentage of points out of the percentage of points possible is below the lowest 5% of all Title I schools when ranked.

# Comprehensive Support and Improvement (CSI) Academic Growth

## CSI Academic Growth Exit

A school can exit CSI Academic Growth status in the third or fourth year.

### Exit Criteria #1:

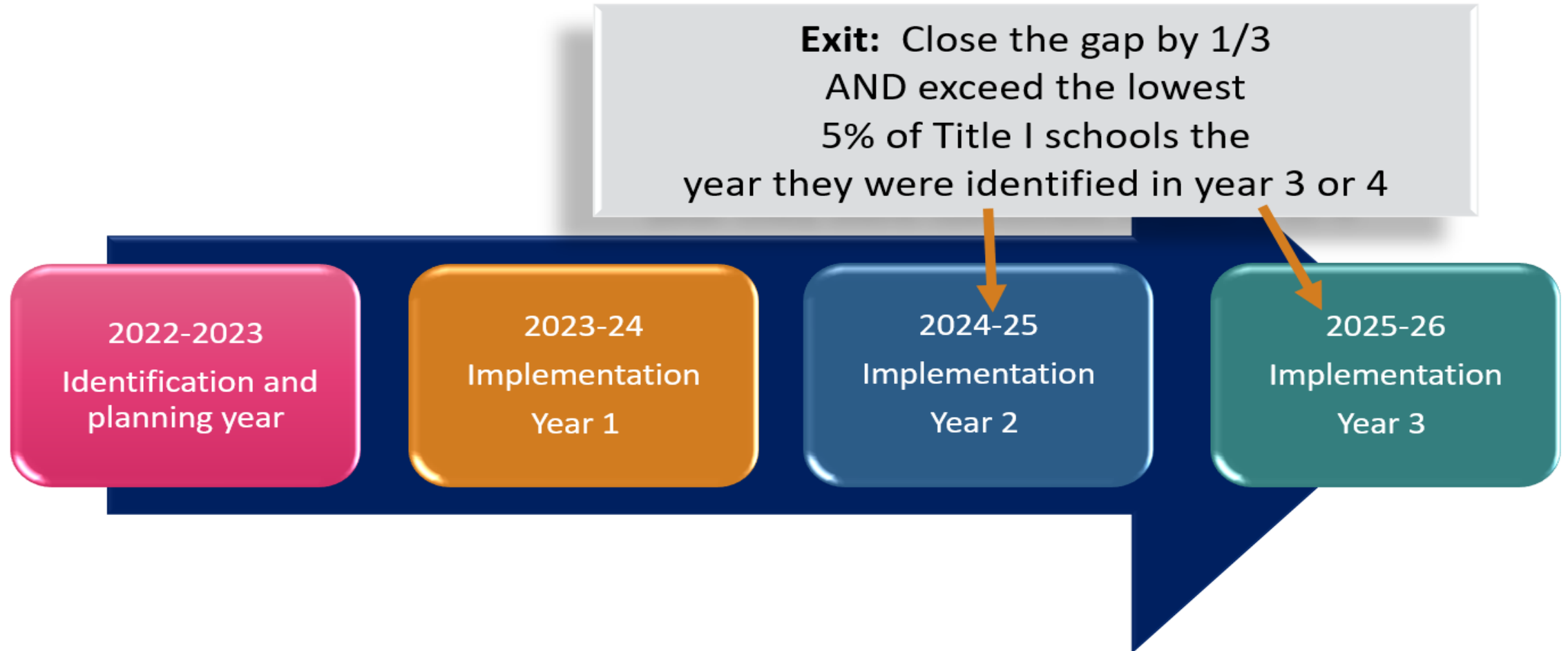
- If the school is an *elementary, middle school, or junior high*, the school's overall performance must reduce the gap in performance by one-third between the school's baseline performance from the year they were identified and 55% of all indicator points possible.
- If the school is a *high school*, the school's overall performance must reduce the gap in performance by one-third between the school's baseline performance from the year they were identified and 57% of all indicator points possible.

### Exit Criteria #2:

- The school's overall performance must exceed the lowest performing five percent of Title I schools from the year the school was identified.

# Current CSI Cohort 2 EXIT Schedule

Beginning in 2024-2025, the CSI Academic Growth schools can exit if the schools meet the exit criteria.





# Comprehensive Support and Improvement (CSI) Graduation Growth

- In federal language this designation is referred to as “low graduation”
- Schools already identified for CSI will not be double identified for TSI or ATSI.
- Comprehensive support and improvement schools are identified once every three years,
- Both Title I and non-Title I schools can be designated as CSI Graduation Growth

# Comprehensive Support and Improvement (CSI) Graduation Growth

## CSI Graduation Growth Identification

A school will be designated as CSI Graduation Growth if:

- It is a designation year (the next designation year is 2025)
- The school is a high school which includes all alternative high schools if the school has its own school identification number.
- The school's three-year average graduation rate is 67% or lower
- If a school has less than 100 total enrollment, the school has the choice whether to receive CSI Graduation Growth support.

# Comprehensive Support and Improvement (CSI) Graduation Growth

## CSI Graduation Growth Exit

A school can exit CSI Graduation Growth status in the third or fourth year.

### Exit Criteria:

- Schools identified for CSI-low graduation rate must have a graduation rate above 67% in the third or fourth year of identification.

# Current CSI Cohort 2 Academic Growth EXIT Schedule

Beginning in 2024-2025, the CSI Graduation Growth schools can exit if the schools meet the exit criteria.

**Exit:** Schools identified for CSI-low graduation rate must have a graduation rate above 67% in the third or fourth year of identification.

2022-2023  
Identification and  
planning year

2023-24  
Implementation  
Year 1

2024-25  
Implementation  
Year 2

2025-26  
Implementation  
Year 3

# TSI and ATSI

- TSI schools are supported and monitored by the LEA
- ATSI schools are supported and monitored by the LEA with technical support from USBE
- ATSI Title I schools will qualify for Targeted CSI if they are unable to exit within four years
- ATSI Non-Title I schools will qualify for additional interventions if unable to exit within 4 years

# Questions

What questions do you have?

Please also refer to the updated [Utah Accountability Technical Manual](#) for answers. This manual has additional technical references for all accountability systems in Utah.

# Center for Continuous School Improvement



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# ESSER Funds Update / Reporting

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# COVID-19 Relief Funding CARES, GEER, ESSER, ARP

Utah State Board of Education



# What this presentation will cover.

- CARES Team Introductions
- Overview of COVID-19 (CARES, CRSSA, ARP)
- K-12 COVID Funding for Utah
- End of CRSSA
- Audits
- Monitoring
- Capital Expenditures
- Questions, Comments, Concerns, Hopes, Dreams?



# Introducing the CARES Team

## Jessica Kjar- CARES Education Specialist

Jessica Kjar (Pronounces like Care) has been with the Utah State Board of Education for almost 3 years, working in the COVID-19 Relief Funding. In the past she has worked for the Utah State Legislature, Weber County Elections, Several Political Campaigns, The Utah State Courts, The Utah Department of Health and Human Services on projects Statewide.

Email: [jessica.kjar@schools.utah.gov](mailto:jessica.kjar@schools.utah.gov)

## Armela Christiansen- CARES Education Secretary

Armela Christiansen has worked as the CARES Administrative Secretary at the Utah State Board of Education since November 2022. Previously she worked for the Alpine School District as the WIDA testing administrator. She holds an MBA and has extensive experience in office administration.

Email: [armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov)





# COVID-19 Relief Funding for Utah K-12

1. Coronavirus Aid, Relief, and Economic Security (CARES)
  1. ESSER I
  2. GEER I
2. State 2020 Coronavirus Relief Awards
3. Coronavirus Response and Relief Supplemental Appropriations (CRRSA)
  1. ESSER II
  2. GEER II
  3. EANS I
4. American Rescue Plan (ARP)
  1. ARP ESSER (III)
  2. ARP EANS (II)
  3. ARP HCY
  4. ARP IDEA

# K-12 COVID Funding for Utah

Award	Amount	Purpose	Distribution	Awards	Deadline
School Emergency Relief (ESSER I)	\$61,820,329	Address impact of COVID-19	Title I, Part A Federal Formula with \$21,194 base funding	178	Sept 30 2022
Gov Emergency Education Relief Fund (GEER)	\$29,189,663	Institutions that have been most significantly impacted	Students with disabilities and at-risk	147	Sept 30 2022
Coronavirus Relief Funds	\$22,900,000	PPE, classroom supplies, and equipment	\$5,000 Base+ Distribution	301	June 30 2021
School Emergency Relief (ESSER II)	\$249,861,592	Address impact of COVID-19	Title I, Part A Federal Formula with \$84,777 base funding	179	Sept 30 2023
Gov. Emergency Education Relief Fund (GEER II)	\$12,232,881	LEAs that serve students with disabilities and/or at-risk of academic failure	\$20,000 Base+ Distribution for students at-risk/SWD	157	Sept 30 2023
American Rescue Plan/ Emergency Relief (ARP ESSER)	\$561,532,379	Focus on impact of lost instructional time	Title I, Part A Federal Formula with \$190,750 base funding	180	Sept 30 2024
<b>Total in Direct LEA Awards</b>	<b>\$914,636,844</b>			<b>1,142</b>	



# Round Two - CRRSA

*ESSER II and GEER II MUST BE SPENT BY SEPTEMBER 30, 2023*

# Audits



# Audits

## How to comply with federal grants?

- Follow the appropriate rules, regulations and policies
- Document
- Closely monitor spending, processes and work progress

## What happens when you don't comply?

- Audit findings
- De obligation

## Multiple funding sources related to COVID-19 governed by different federal agencies with different requirements

- CARES Act
- Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA)
- American Rescue Plan (ARP)





# Audits

What will be the audit focus specifically with CARES and ARP?

- Supporting eligibility of dollars expended
- Tracking of dollars and expenditures
- Experience with federal funding
- Adequacy of supporting documentation retained
- Construction and infrastructure spend
- Documentation to link the costs back to COVID and other eligibility



# Audits

## Federal independent audit requirements: lessons learned

- Throughout FY 2022, oversight work involving pandemic relief aid continued to be a top priority for the US Department of Education Office of Inspector General (OIG)
- The OIG issued 10 reports specific to pandemic relief during FY 2022
- Several reports were issued specific to selected state's administration of GEER fund grants
- Observations include issues around procurement, deadlines to spend funding, documenting and tracking obligation, spending and eligibility, and double payments
- Expect additional pandemic relief audits to continue in FY 2023 and beyond

# Audits

These funds can be audited up until 2029!

- During that time we will have...
  - Two Presidential Elections.
  - Three Olympics.
  - My son who is currently four years old, will be ten.
  - Why do I say these things? To highlight how far ahead these funds can be audited.
  - The Dept of Education has said everyone will be audited. This is why our team focuses on our 100% documentation policy.



# Monitoring



# Monitoring

- The Agency staff performing monitoring are NOT auditors.
- Monitoring is not a substitute for auditing.
- OESE released a self assessment to SEA's.
  - Our team has taken that self assessment and have used the same questions (those that relate) in our LEA monitoring. We are asking of you what the Dept of Education is asking of us. 94% of our questions in our monitoring survey are directly from the Dept of Ed.



# Monitoring

The CARES team at USBE is still finalizing our Monitoring process.

- The monitoring will be very similar to other monitoring processes.
- We will be using potentially a mix of Utah Grants and Qualtrics.
  - Utah Grants for the Risk Assessment and Documentation upload
  - Qualtrics survey for other questions
- We will then schedule virtual or in person meetings.
- As stated above we are using questions directly from the Dept of Ed OESE.
- More information will be released to our LEA's soon.



# Monitoring

OESE has reported the following common findings in recent audits:

## **Lack of written procedures**

- E.g., Determining cost allowability; internal controls, equipment management and disposition
- Related finding: lack of evidence of implementation

## **Internal controls**

- Lack of segregation of duties; documentation of an internal risk assessment process

## **Guidance to LEAs & subrecipient monitoring**

- E.g., Equipment management; procurement policies, FERPA and protection of PII



# Monitoring

OESE has reported the following common findings in recent audits:

## **Audit**

- Failure to conduct audits in a timely manner
- No management decision letter issued to resolve audit findings
- Failure to maintain documented audit resolution procedures

## **Equipment & Supplies Management**

- Lack of evidence that LEAs conduct a physical inventory at least once every two years or that the SEA monitors for LEA compliance

## **Charter School Authorization & Oversight**

- Lack of documentation of policies and oversight roles coordinated between SEA & other responsible State agencies
- Additional communication and guidance to LEAs about applicable requirements for charter schools (recommendation)



# Capital Expenditures



# Federal Allowable Use Cases

Generally, in determining whether an activity is an allowable use of funds, a State or LEA must determine:

- Is the use of funds intended to prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students?
- Does the use of funds fall under one of the authorized uses of ESSER or GEER funds?
- Is the use of funds permissible under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance, 2 CFR Part 200)? In particular, is it necessary and reasonable for the performance of the ARP ESSER award?

# COVID-19 Federal Relief Funding Allowable Use Cases hard copies available.



## Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding Allowable Use Cases.

The ESSER Fund provides LEAs considerable flexibility in determining how best to use ESSER funds. Allowable uses of the funds include the following:

1. Any activity authorized by the ESEA of 1965, including the
  - a. Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.),
  - b. Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.),
  - c. Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) ("the Perkins Act"), and
  - d. subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)
2. Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
3. Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
4. Activities to address the unique needs of students living in conditions of poverty, students with disabilities, students learning English, students experiencing homelessness, students who are refugees, and youth in foster care.
5. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
6. Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
7. Purchasing supplies to sanitize and clean LEA facilities, including personal protective equipment.
8. Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.
9. Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.
10. Providing mental health services and supports.
11. Planning and implementing activities related to summer learning and supplemental afterschool programs and addressing the needs of students living in conditions of poverty, students with disabilities, students learning English, students experiencing homelessness, students who are refugees, and youth in foster care.
12. Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.

PO Box 144200 Salt Lake City, Utah 84114-4200 | Phone: (801) 538-7500



## Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) Allowable Use Cases

A Local Educational Agency (LEA) may use funds it receives under section 313(d) of the CRRSA Act for any activity listed in section 313(d) (described below). Any activity that is an allowable use of Elementary and Secondary Schools Emergency Relief (ESSER) funds by an LEA under section 18003(d) of the CARES Act is also an allowable use of ESSER II funds by an LEA under section 313(d) of the CRRSA Act. Any allowable use of ESSER II funds by an LEA is also an allowable use of ESSER funds by an LEA under section 18003(d) of the CARES Act.

1. Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (Individuals with Disabilities Education Act (IDEA)), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) ("the Perkins Act"), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).
2. Coordination of preparedness and response efforts of LEA with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
3. Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
4. Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.
5. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
6. Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.
7. Purchasing supplies to sanitize and clean the facilities of a LEA, including buildings operated by such agency.
8. Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, providing guidance for carrying out requirements under the IDEA and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.
9. Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.
10. Providing mental health services and supports.
11. Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

PO Box 144200 Salt Lake City, Utah 84114-4200 | Phone: (801) 538-7500

ESSER II  
CRRSA

Utah State Board of Education





# Capital Expenditures

## Uses of Funds:

An LEA must spend at least 20% of their ARP ESSER award to address “accelerated learning” (analogous to the federal definition of “learning loss”). Additionally, the federal legislation defines 19 allowable use cases to guide ESSER spending. The two use cases that are specifically relevant to this guidance on capital expenditures are:

*16. School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.*

*17. Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.*

# Capital Expenditures

Capital Expenditures have a additional application process.

Capital Expenditure Approval Process  
ARP ESSER  
USBE

## LEA Application

Please complete the fields below on pages 4-6 that are highlighted for response and submit to Armela Christiansen, CARES Administrative Secretary, at [armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov) for review and approval:

<b>Legal Name:</b> (e.g., North Sanpete School District)
<b>Contact Information for LEA Representative</b> _____ _____ _____ _____ _____

## PROPOSED USE OF FUNDS for CAPITAL EXPENDITURE

Each LEA must submit a letter on LEA letterhead that addresses the following requirements. Additional documentation may be submitted in a Google Drive that has public access rights to USBE.

### Letter with the following (must be on LEA letterhead):

- Project Description Requirement:**
  - A description of at least 2-3 paragraphs describing the overall project, how the project is necessary due to COVID-19 response, how the project will support the LEA in achieving their goals, and provide details in regard to the project's implementation.
  - Additionally, please provide this information, if applicable:
    - Projected number of students served
    - Names of school sites or buildings served by this project
    - Number of classrooms affected by this project
  - For HVAC projects, please provide the following information:
    - Which school or building sites will be updated
    - How the new units or updated system will increase the turnover of fresh air into rooms

Capital Expenditure Approval Process  
ARP ESSER  
USBE

## 2. Project Timeline within the 34.CFR.75.707 full project must be completed by September 30, 2024:

- Monthly milestones related to the project procurement, implementation, and completion date.
- Projected draw-down amounts and dates related to the milestones
- Note: All projects must be completed no later than September 30, 2024 to be eligible for reimbursement through the ARP ESSER COVID-19 relief funds.

## 3. Expected Budget:

- Use the state budget table for expense alignment
- Requires a budget narrative to outline expenditures, specifically referencing any items over \$5,000.00

Proposed Budget				
Description	Funding Requested – FY2022	Funding Requested – FY2023	Funding Requested – FY2024	Funding Requested – FY2025 concluding by September 30, 2024
A. (100) Salaries				
B. (200) Employee Benefits				
C. (300) Purchased Professional & Technical Services				
D. (400) Purchased Property Services				
E. (500) Other Purchased Services				
F. (580) Travel				
G. (600) Supplies/Materials				
H. (800) Other (Exclude Audit Costs)				
I. TOTAL DIRECT COSTS (Lines A through H)				
J. (800) Other (Audit Costs)				
K. Indirect Costs				
L. Property (includes equipment)				
<b>M. TOTAL (Lines I through L)</b>				



# Capital Expenditures

## Capital Expenditure Submission Process

Please submit comprehensive capital expenditure request packets to: Armela Christiansen, CARES Administrative Secretary, at [armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov)

- LEAs may submit a single file via email or a Google Drive that has public access rights to USBE.
- LEAs will receive a receipt of submission from USBE within 2 business days of submission. If an LEA does not receive receipt of submission via email within 2 business days, please follow up with USBE to be sure submission was received



# Capital Expenditures

## Capital Expenditure Review and Outcome Process

- USBE will review the submission for completeness and compliance with the above expectations.
- USBE will review the submissions with the Capital Expenditure ARP ESSER team, and provide an outcome to LEAs within 14-days of submission.
  - The outcome may include requests for revision and resubmission.
- An LEA may **not** begin work on the capital project until they receive approval on letterhead from the Utah State Board of Education.
  - A Non-compliance letter will be sent out if this is not followed.



# Davis Bacon

## The Davis-Bacon and Related Acts (DBRA)

DBRA requires payment of prevailing wages on federally funded or assisted construction projects.

The Davis-Bacon Act applies to each federal government or District of Columbia contract in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Many federal laws that authorize federal assistance for construction through grants, loans, loan guarantees, and insurance are Davis-Bacon “Related Acts.” The “Related Acts” include provisions that apply Davis-Bacon labor standards to most federally assisted construction. Examples of “Related Acts” include the Federal-Aid Highway Acts, the Housing and Community Development Act of 1974, and the Federal Water Pollution Control Act.





# Davis Bacon

## Basic Provisions/Requirements Part 1

- Contractors and subcontractors must pay laborers and mechanics employed directly upon the site of the work at least the locally prevailing wages (including fringe benefits), listed in the Davis-Bacon wage determination in the contract, for the work performed. Davis-Bacon labor standards clauses must be included in covered contracts.
- The Davis-Bacon "prevailing wage" is the combination of the basic hourly rate and any fringe benefits listed in a Davis-Bacon wage determination. The contractor's obligation to pay at least the prevailing wage listed in the contract wage determination can be met by paying each laborer and mechanic the applicable prevailing wage entirely as cash wages or by a combination of cash wages and employer-provided bona fide fringe benefits. Prevailing wages, including fringe benefits, must be paid on all hours worked on the site of the work.



# Davis Bacon

## Basic Provisions/Requirements Part 2

- Apprentices or trainees may be employed at less than the rates listed in the contract wage determination only when they are in an apprenticeship program registered with the Department of Labor or with a state apprenticeship agency recognized by the Department.
- Contractors and subcontractors are required to pay covered workers weekly and submit weekly certified payroll records to the contracting agency.
- Along with...

# Davis Bacon

## Basic Provisions/Requirements Part 3

Contractors are also required to post the applicable Davis-Bacon wage determination with the Davis-Bacon poster (WH-1321) on the job site in a prominent and accessible place where they can be easily seen by the workers.

**EMPLOYEE RIGHTS**  
**UNDER THE DAVIS-BACON ACT**

**FOR LABORERS AND MECHANICS  
EMPLOYED ON FEDERAL OR  
FEDERALLY ASSISTED  
CONSTRUCTION PROJECTS**

**PREVAILING WAGES** You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.


**OVERTIME** You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

**ENFORCEMENT** Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

**APPRENTICES** Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

**PROPER PAY** If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

or contact the U.S. Department of Labor's Wage and Hour Division.

 **WHD** WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)

WH-1321 809 0017



# Davis Bacon

## Davis-Bacon Wage Determinations

Davis-Bacon wage determinations are published on the System for Award Management (SAM) website at <https://sam.gov/content/wage-determinations> for contracting agencies to incorporate them into covered contracts. The “prevailing wages” are determined based on wages paid to various classes of laborers and mechanics employed on specific types of construction projects in an area. Guidance on determining the type of construction is provided in All Agency Memorandum Nos. 130, 131 and 236.



# Questions

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Armela Christiansen  
CARES Administrative Secretary  
[armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov)

# ESEA Programs Contact Information

Dr. Max Lang	ESEA and Related State Initiatives	(801) 538-7725
Becky Peters	Executive Secretary	(801) 538-7712
Tracy Vandeventer	Director UT Center for Continuous School Improvement	(801) 538-7590
Dr. James Martin	School Improvement Specialist	(801) 538-7932
Jeff Ojeda	Title I C Migrant, Title VII-B McKinney-Vento	(801) 538-7945
Merilee Wendell	Fiscal/Title V-B Rural Low-Income Schools	(801) 538-7977
Val Murdock	Title I Monitoring/DMI	(801) 538-7975
Merilee Wendell	Fiscal Compliance Manager	(801)-538-7977
Dr. Christelle Estrada	Title III English Learners/Immigrants/Refugees	(801) 538-7888
Savannah Hunt	Title IV-B 21 <sup>st</sup> CCLC	(801) 538-7825
Robert Palmer	IGP/Partnerships for Student Success	(801) 538-7629
Dr. Harold (Chuck) Foster	Title VI American Indian Education	(801) 538-7838
Susie Estrada	Parent/Family/Community Engagement	(385) 295-7891
Madeline Kjar	Office Specialist II	(801) 538-7704
Jessica Kjar	CARES Educational Specialist	(385) 295-7870
Armela Christiansen	CARES Administrative Secretary	(385) 295-7932
Benji Carrier	YIC Program Coordinator	(801) 538-7727
Dr. Kami Dupree	Title II Excellent Teaching and Leading	(801) 538-7923
Jodi Parker	Title IV-A Student Support and Academic Enrichment	(801) 538-7734
Utah Grants Help Desk	<a href="mailto:utahgrants@schools.utah.gov">utahgrants@schools.utah.gov</a>	(801) 538-7604

THANK YOU!!

